

Prob 12B  
(7/93)

**UNITED STATES DISTRICT COURT**

for the

**District of Nebraska**

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
05 OCT 12 PM 3:38  
OFFICE OF THE CLERK

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
(Probation Form 49, Waiver of Hearing is Attached)

**Name of Offender:** David Archuleta      **Docket Number:** 8:03CR232

**Sentencing Judge:**                      **The Honorable Laurie Smith Camp**  
    **U.S. District Judge**

**Date of Original Sentence:**              **September 20, 2004**

**Original Offense:**                          **Frauds and Swindles; 18 U.S.C. 341**

**Original Sentence:**                        **27 months custody; 3 years supervised release**

**Type of Supervision:**                    **Supervised Release**

**Date Supervision Commenced:**      **In custody**

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**PETITIONING THE COURT**

☐ To extend the term of supervision for \_\_\_\_\_, for a total term of \_\_\_\_\_.

☒ To modify the conditions of supervision as follows:

**The defendant shall be subject to the search of the defendant's premises, vehicle or person, day or night, with or without a warrant, at the request of the probation officer to determine the presence of alcohol and/or controlled substances, firearms, or any other contraband. Any such items found may be seized by the probation officer. This condition may be invoked with or without the cooperation of law enforcement officers.**

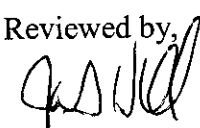
**CAUSE**

Mr. Archuleta is requesting relocation to the District of Nevada to serve his term of supervised release. The District of Nevada has accepted the Bureau of Prison's Pre-release Plan; however, they would like a search clause added to the conditions of supervised release.

Respectfully submitted,

Reviewed by,

  
Douglas D. Steensma  
U.S. Probation Officer


  
John A. Hill  
Supervising U.S. Probation Officer

Date: August 24, 2005

THE COURT ORDERS

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- ☐ No Action
- ☐ The Extension of Supervision as noted above
- ☒ The Modification of Conditions as noted above
- ☐ Other

  
The Honorable Laurie Smith Camp  
U.S. District Judge

10/11/05  
Date

Prob 49  
(Rev. 12/00)

**United States District Court**  
**District of Nebraska**

**Waiver of Hearing to Modify Conditions  
of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervision. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following additional conditions:

**The defendant shall be subject to the search of the defendant's premises, vehicle or person, day or night, with or without a warrant, at the request of the probation officer to determine the presence of alcohol and/or controlled substances, firearms, or any other contraband. Any such items found may be seized by the probation officer. This condition may be invoked with or without the cooperation of law enforcement officers.**

Witness

Julie Dake, Case Manager  
Case Manager

Signed

David H. Archuleta  
Probationer or Supervised Releasee

8/24/05  
Date